IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Crl.MC.No. 300 of 2007()

AGAINST B.A.NO.7212/2006 DATED 01/12/2006
CRIME NO.388/2006 OF CHANGARAMKULAM POLICE STATION

PETITIONER:

DR. JANARDHANAN, D.A.M.,
AGED 59 YEARS, KANNAMKUKZHIYIL, KOTTANAD,
PALGHAT DISTRICT.

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
CHANGARAMKULAM POLICE STATION, PONNANI,MALAPPURAM.

BY PUBLIC PROSECUTOR, SRI GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.300 of 2007

Dated this the 13th day of February 2007

O R D E R

The petitioner has come to this court for deletion of the conditions imposed by this court when anticipatory bail was granted to the petitioner subject to conditions.

2. A perusal of Annexure-I order granting anticipatory bail reveals that the said order was to remain in force only for a period of one month. Evidently, therefore, the conditions were also to remain in force till such time only. Admittedly, the petitioner had surrendered before the learned Magistrate and was enlarged on regular bail. The learned counsel for the petitioner was not able to explain whether identical conditions as were imposed in Annexure-I were imposed by the learned Magistrate when the petitioner was granted regular bail. Therefore, a report of the learned Magistrate was called for. The report of the learned Magistrate shows that at the time when the regular bail was granted, these conditions in Annexure-I were not all repeated. There was only a direction that the petitioner must execute a bond for Rs.10,000/- and that he must make

himself available before the investigating officer on all wednesdays between 10 a.m and 11 a.m. That is the only condition remaining in force now.

3. The learned counsel for the petitioner submits, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the said condition can now be modified. It is not necessary, in the nature of the facts and circumstances of this case, to insist that the petitioner must appear before the investigating officer on all wednesdays. The said condition can be modified.

4. In the result, this Criminal Miscellaneous Case is allowed in part. The said condition is modified. It is directed that the petitioner need hereafter appear only as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006